

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This Response is in reply to the Office Action mailed September 15, 2004. Claims 1-45 were pending. Claims 28-38 were allowed. Claims 8, 21 and 41 were objected to. Claims 1-7, 9-20, 22-27, 39, 40 and 42-45 were rejected. The claims have been amended to place them into condition for allowance.

Claims 1-45 were originally presented. Claims 1-40, 42-43 and 45 remain in the application. Claims 41 and 44 have been canceled without prejudice. Claims 1, 8, 15, 21 and 39 have been amended. Claim 17 has been amended to change dependency from claim 1 to claim 15. No claims have been added.

The indication of allowable claims 28-38 and the indication of allowable subject matter in claims 8, 21 and 41, if rewritten in independent form, is acknowledged with appreciation.

Claim Objections

Claim 44 was objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 44 has been canceled.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2, 5, 6, 13 and 14 (including independent claim 1) were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,085,449 ("Tsui").

Pursuant to the Examiner's suggestion under paragraph 7 of the Office Action, claim 1 has been amended to positively recite the information-bearing medium as a structural component of the invention, and not as an intended use. Accordingly, Applicant respectfully submits that claim 1, and claims 2, 5, 6, 13 and 14 which depend therefrom, are allowable over the cited reference.

Claims 1-4, 12-17 and 25-27 (including independent claims 1 and 15) were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,577,007 ("Houlihan").

Pursuant to the Examiner's suggestion under paragraphs 7 and 10 of the Office Action, claims 1 and 15 have been amended to positively recite the information medium as a structural

component of the invention, and not as an intended use. Accordingly, Applicant respectfully submits that claims 1 and 15, and claims 2-4, 12-14, 16-17 and 25-27 which depend therefrom, are allowable over the cited reference.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 5, 7, 9-11, 39, 40 and 42-45 (including independent claims 1 and 39) were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,577,007 (“Houlihan ‘007”) in view of U.S. Patent No. D316,983 (“Houlihan ‘983”).

As discussed above, in response to the Examiner’s suggestion, claim 15 has been amended to positively recite the information medium as a structural component of the invention, and not as an intended use. Accordingly, Applicant respectfully submits that independent claim 15 is allowable over the cited references, as are the claims depending from claim 15.

Claim 39 has been amended to incorporate the allowable subject matter of claim 41. Claim 41 has been canceled. Accordingly, Applicant respectfully submits that independent claim 39 is allowable over the cited references, as are claims 40, 42-43 and 45, which depend from allowable claim 39.

Allowable Subject Matter

Claims 28-38 were allowed.

Claims 8, 21 and 41 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 8 has been rewritten in independent form including all of the limitations of base claims 7, 5 and 1. Claim 21 has been rewritten in independent form including all of the limitations of base claims 20, 18, 17 and 15. Claim 39 has been amended to include the allowable subject matter of claim 41. Claim 41 has been canceled.

CONCLUSION

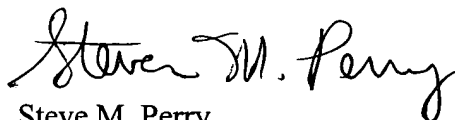
In light of the above, Applicant respectfully submits that pending claims 1-40, 42-43 and 45 are in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Response, the Examiner is strongly encouraged to call Steve M. Perry at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

No extension of time is necessary in which to timely file the present Response. Two (2) dependent claims, claims 8 and 21, were amended into independent form. No claims were added. A check in the amount \$200 is enclosed for the addition of two (2) independent claims.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 15th day of December, 2004.

Respectfully submitted,



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